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8 RALPHS GROCERY COMPANY
9

10 **UNITED STATES DISTRICT COURT**
11 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
12

13 JAMES SANFORD,

14 Plaintiff,

15 vs.

16 RALPHS GROCERY COMPANY dba
17 RALPHS #983; BILL DEFAZIO, and
18 DOES 1 through 10,

19 Defendants.
20

CASE NO. 04-2037 LKK KJM

21 **STIPULATION AND ORDER RE
CONTINUANCE OF DATES**

22 Date Filed: September 29, 2004
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The parties hereto, by and through undersigned counsel of record, hereby file the following joint stipulation regarding the continuance of the expert deadlines in this case.

JOINT STIPULATION

WHEREAS, this action was filed on September 29, 2004;

WHEREAS, the deadlines currently set in this case are as follows:

- the expert designation date is November 11, 2005;
 - the discovery completion date is January 10, 2006;
 - trial is set to begin on September 12, 2006;

WHEREAS, in or about April 2005, Plaintiff James Sanford noticed a site inspection scheduled for October 19, 2005;

WHEREAS, Plaintiff only recently served the landlord in this action, The Cushman Family Trust, on August 23, 2005;

WHEREAS, The Cushman Family Trust has not yet answered or appeared in this case;

WHEREAS, Ralphs is currently considering The Cushman Family Trust's tender of defense and indemnity and therefore needs additional time to evaluate settlement possibilities, or alternatively, to make arrangements for The Cushman Family Trust's counsel to appear at the site inspection in order to avoid duplicative site inspections;

WHEREAS, the parties have not previously requested a continuance of any of the dates in the scheduling order;

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1 THEREFORE, through this Joint Stipulation, Plaintiff and Ralphs respectfully
2 request that the Court approve the following new dates in this case:

- 3
- 4 December 12, 2005 as the new date for expert designation; and
 - 5 February 10, 2006 as the new discovery completion date.

6 DATED: October ___, 2005 GREENBERG TRAURIG, LLP
7

8 By /signature on original
9 Stacey L. Herter

10 Attorneys for Defendant
11 RALPHS GROCERY COMPANY

12 DATED: October ___, 2005 LAW OFFICES OF LYNN HUBBARD
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15 By /signature on original
16 Lynn Hubbard

17 Attorneys for Plaintiff
18 JAMES SANFORD

19 **ORDER**

20 IT IS SO ORDERED.

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22 DATED: October 27, 2005. /s/Lawrence K. Karlton
23 Lawrence K. Karlton
24 Senior Judge